

**REMARKS**

Claims 1, 4, 5, 13, and 16 are pending in this application. Claims 2, 3, 6-12, 14, 15, and 17-21 have been cancelled. Claims 1, 4, 5, 13 and 16 have been amended. Applicants respectfully request reconsideration of the claims as amended and passage to allowance.

**I. Claim Rejections – 35 U.S.C. § 112, First Paragraph**

The Examiner rejects amended claims 1-5 and 13-21 under 35 U.S.C. § 112, first paragraph, as failing to comply with the written description requirement. The Examiner states that the limitation of "murine animal" in claims 1, 13, 16, 17, 20, and 21 is new matter. Applicant has removed this language from all claims which now recite "BPH/5 mouse". Claim 5 as originally presented did not include the term murine animal, and appears to have been inserted in this rejection in error. Applicant respectfully requests withdrawal of the rejection under 35 U.S.C. § 112, first paragraph in light of the amendments to the claims.

**II. Claim Rejections – 35 U.S.C. § 102****A. § 102(b) over *Makino et al.***

The Examiner rejects claims 1, 13, 16, and 17 under 35 U.S.C. § 102(b) as being anticipated by Makino et al. The Examiner states that the rat described by Makino et al exhibits the phenotypes of hypertension and preeclampsia in common with a "murine animal with a BPH/5 phenotype." In order to expedite prosecution and place the claims in condition for allowance, Applicants have amended claims 1, 13 and 16 to describe the animal as a mouse. This is clearly outside of Makino which is limited to a rat model. Claim 17 has been cancelled.

In light of the amendments to the claims Applicant respectfully requests withdrawal of the rejection.

**B. § 102(b) over Takimoto et al.**

The Examiner rejects claims 1-5 and 13-21 under 35 U.S.C. § 102(b) as being anticipated by Takimoto et al. The Examiner states that the mouse with preeclampsia taught by Takimoto et al anticipates the BPH/5 phenotype mouse as claimed because the BPH/5 mouse has glomerulosclerosis, proteinuria, etc. In order to expedite prosecution and place the claims in condition for allowance, Applicants have amended claims 1, 13 and 16 to recite a "BPH/5 mouse". All other claims are either cancelled or depend from these claims.

Takimoto et al teach mating transgenic female mice expressing angiotensinogen with male mice expressing renin. The resultant mouse of Takimoto is not a "BPH/5 mouse" as required by independent claims 1, 5, 13 and 16 because the Takimoto mouse is transgenic. As described at page 5, lines 8-12, of Applicant's specification, "BPH/5 is an inbred subline generated from brother-sister matings of fully inbred BPH/2 mice over many generations" The transgenic Takimoto mice do not meet the definition of BPH/5 mouse as provided in the specification and claims of Applicant's specification.

Applicant believes that the above amendments place the claims in condition for allowance. Therefore, applicant respectfully requests that the Examiner reconsider and withdraw rejections to the claims under 35 U.S.C. § 102(b).

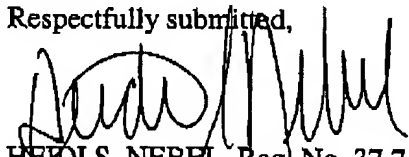
**III. Conclusion**

Applicants submit that in light of the foregoing amendments and remarks, claims presented herein are in condition for allowance. Reconsideration is respectfully requested. If it is felt that it would aid in prosecution, the Examiner is invited to contact the undersigned at the number indicated to discuss any outstanding issues.

Please consider this a two-month extension of time from August 13, 2005 to October 13, 2005 and charge Deposit Account No. 26-0084 the amount of \$225.00. No other fees or extensions of time are believed to be due in connection with this amendment; however, consider this a request for any extension inadvertently omitted, and charge any additional fees to Deposit Account No. 26-0084.

Reconsideration and allowance is respectfully requested.

Respectfully submitted,



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